MINUTES: April 26, 2012

MEETING: Daytona State College
      District Board of Trustees

PLACE: Daytona State College
       Advanced Technology College
       1770 Technology Boulevard
       Daytona Beach, Florida

PRESENT: Dr. Carol Eaton, Corporate Secretary/President
         Mr. Dwight Lewis, Chair
         Dr. Christina Frederick-Recascino, Vice Chair
         Mr. Bob Davis
         Mr. Lloyd Freckleton
         Mrs. Mary Ann Haas
         Mrs. Betty Holness
         Mrs. Forough Hosseini
         Mr. John Tanner

ABSENT: Mrs. Donna Brosemer

Board Meeting began 2:05 p.m.

Distributed prior to the start of meeting: Attachment “12” - Resolution of Appreciation (page 69). Made an official part of the minutes as Supplemental A: 4/26/12.

I. CALL TO ORDER
   Mr. Lewis called the meeting to order at 2:05 p.m.

II. ROLL CALL
    Mrs. Brosemer was absent. Mr. Tanner was absent during roll call but arrived later in the meeting.

III. PUBLIC PARTICIPATION
    Mr. Lewis inquired if there were any members from the public that requested time to appear before the Board. One request was received from Mr. Jim Kline. Mr. Kline spoke on the importance of learning about finances in all levels of education. Mr. Lewis introduced Volusia County Council Chairman Frank Bruno; Mr. Charles Craig, Volusia County Emergency Management Director; and Mr. Dave Byron, Volusia County Community Services Director, who presented an annual check for $10,000 on behalf of Volusia County for the College’s television station. The television station serves as the counties’ public television station for the dissemination of emergency information and they explained the importance of this partnership with the College in providing these services to the community.
IV. PUBLIC HEARINGS – POLICIES
A. Approval of Final Reading - Policy 4.07: Academic Freedom and Responsibility (New)
   Dr. Eaton explained this is the second reading of this policy and how important it was in reaffirming the principles of academic freedom.

   MOTION:  (Davis/Recascino) The District Board of Trustees approve the final reading of Policy 4.07: Academic Freedom and Responsibility (New). Motion carried unanimously.

B. Approval of Final Reading - Policy 6.03: Academic Freedom and Responsibility (Deletion)
   Dr. Eaton explained with the approval of new Policy 4.07 it is necessary to delete the old policy.

   MOTION:  (Recascino/Holness) The District Board of Trustees approve the final reading for the deletion of Policy 6.03: Academic Freedom and Responsibility. Motion carried unanimously.

V. CONSENT AGENDA
A. Approval of 3/22/12 Regular Board Meeting Minutes
B. Approval of Agreements
C. Approval of Agreements - Affiliation
D. Approval of Budget Amendments
E. Approval of Deletion of Inventory Items
F. Approval of Grant Applications
G. Approval of Human Resource Recommendations
H. Approval of Surplus Property Donations

   Mr. Lewis asked if there were any items trustees would like pulled from the consent agenda. Mr. Davis requested to pull Item V. B. Approval of Agreements and explained he serves on the board of the Volusia Literacy Council.

   MOTION:  (Recascino/Holness) The District Board of Trustees approve the remainder of the Consent Agenda. Motion carried unanimously.

   MOTION:  (Recascino/Haas) The District Board of Trustees approve Item V.B. Approval of Agreements. Motion carried with Mr. Davis recusing himself.
VI. TIME RESERVED/PRESIDENT
A. President’s Update

Dr. Eaton shared wonderful news where the College will be receiving $16.844 million in capital funds. The projects listed below are those receiving funding:

- $7.6 million Flagler/Palm Coast Classroom Building
- $2 million News-Journal Scene Building/Laboratory
- $2.4 million Student Services/Classroom Building Daytona Campus
- $3 million Thermal Storage Facility
- $1.8 million Renovation/Remodeling, site improvement

Dr. Eaton explained the College will also receive $1 million in recurring funding for the UCF/DSC Writing Center. Prior to the Board meeting there was a ribbon cutting ceremony for the center where Senator Evelyn Lynn and the College’s UCF partners were recognized.

She stated this achievement in funding was not possible without the dedication and hard work of the Board members and thanked Chairman Lewis for his leadership and work behind the scenes. She shared because of Trustee Hosseini’s commitment, the College would not have been successful in making its case and explained how she traveled to Tallahassee and made numerous phone calls on behalf of the College and how appreciative the College was for her support. Each of the Board members used their contacts to put students first and help the College have a great path into the future and thanked them all. She recognized and thanked the local legislative delegation who was instrumental and supportive through the entire process. Dr. Eaton explained how invaluable Mrs. Sharon Crow, Senior Vice President of Governmental Relations, has been throughout the legislative session and thanked her for her service.

Dr. Eaton stated the six trustees who were on the list for reappointment have been reappointed by the Governor and how this shows the confidence the Governor has in each of the trustees and the institution.

Dr. Eaton shared Mr. Dennis Micare, Senior Vice President of Finance and Administration, had announced his plans to retire the end of the year and she shared how he had planned to retire but stayed on to help Dr. Eaton through the transition and how she was very appreciative of this. She shared his history at the College and how he has worked hard through difficult budget times and has kept the President and Board educated about the College’s budget. She stated how he has ensured the College’s financial standing is sound and wished him well on behalf of everyone.

Dr. Eaton shared a variety of news around the College which included the Collision and Repair program receiving its continuation of national
reaccreditation and thanked faculty William Smith, Roger Rowan, and Eugene Deyo; grant funding was received from the Florida Department of Cultural Affairs for general operating support for the Southeast Museum of Photography and from the Florida Division of Homeland Security for the purchase of safety equipment; and faculty members Anindya Paul and LaKisha Holmes were recipients of a National Science Foundation grant and were invited to be presenters at the American Association of Community Colleges (AACC) annual convention to give their presentation on *STEP up to STEM*.

Dr. Eaton explained she is rotating off the AACC board of directors and has been nominated and elected to be an executive committee member of the Florida Council of Presidents.

B. **Approval of Agreements – Non-Consent Item**
Item was presented for approval.

**MOTION:** (Hosseini/Haas) The District Board of Trustees approve the agreement with Embry-Riddle Aeronautical University. Motion carried with Dr. Recascino* recusing herself.

*Dr. Recascino is an employee of Embry-Riddle Aeronautical University.

C. **Approval of Resolution of Appreciation**
Dr. Eaton read the following resolution into the meeting minutes:

WHEREAS, Mrs. Donna Brosemer, has been a valued and trusted member of the Daytona State College District Board of Trustees since April 2011 and,

WHEREAS, she has served with distinction and integrity during her term as a representative of the Board and,

WHEREAS, she has displayed professionalism and integrity whilst interacting with college personnel and the community that she represents and,

WHEREAS, she has been an advocate for the Center for Interactive Media that will offer an academic program and utilize the TV station, thereby positioning the college for additional cutting edge programming, and

WHEREAS, she took an active role in the college’s presidential selection process, resulting in the successful appointment of Dr. Carol Eaton, and

WHEREAS, she tirelessly served the college as an advocate for enriching and safeguarding the Daytona State College experience, and
WHEREAS, she has supported the mission of the College to provide access and emphasize academic success for all students and staff; and

WHEREAS, she has been a strong supporter of the Daytona State College Foundation and its mission to provide financial assistance to students, as well as funding for critical needs that are beyond the scope of the College’s budget and,

WHEREAS, she will forever be a lifelong friend of the Florida College System,

NOW THEREFORE BE IT RESOLVED that this Resolution of Appreciation for Mrs. Donna Brosemer be read into the official minutes of the April 26, 2012, meeting of the Daytona State College District Board of Trustees and that a signed copy of this document be presented to her at an appropriate time.

Mr. Lewis had hoped to present the resolution in person to Mrs. Brosemer, who will be resigning from the Board effective May 31, 2012, but she was unable to attend the meeting. Mr. Lewis shared it is sad when losing someone because of how well they work together.

MOTION: (Davis/Haas) The District Board of Trustees approve the resolution of appreciation for Mrs. Donna Brosemer. Motion carried unanimously.

D. Approval of 2011/2012 Annual Equity Report Update
Dr. Eaton explained the equity report is important to the climate and work environment at the College and thanked Dr. Job Clement, Chair of the Equity Committee; Mr. Keith Kennedy, Dean of Students and Title IX Coordinator; Ms. Robin Barr, Associate Vice President of Human Resources; Ms. Alison Mohr, Athletic Coordinator, School of Health and Wellness; Mr. Miguel Rivera, Director of Student Disability Services; and Mr. Marc Campbell, Chair of School of Mathematics, for their hard work in preparing the equity report for submission. Dr. Eaton highlighted key points of the report showing the College has an inclusive environment.

She stated how the College continues initiatives to enhance the retention and completion rates of minority students and shared examples of those initiatives and ways the College is addressing continuous improvement for these students. The College continues to offer outreach events that provide awareness about college programs, services, and financial aid; continues to host disability mentoring, awareness and transition day events to provide awareness about college programs and services for disabled students; continues to provide adaptive equipment, computerized technology and individualized accommodations to disabled students. Dr. Eaton shared examples of how the Math department has been working to
close the achievement gap between students by making changes to their curriculum.

She explained the Student Disability Services maintains the responsibility to coordinate and advocate for students who are eligible for accommodations. By providing course substitution to students who have learning disabilities, the College is removing barriers to equal education. Student Disability Services continues to work with the Academic Support Center to provide students with necessary tutoring before students apply for course substitutions.

Dr. Eaton shared the College has insured its compliance with Title IX, Gender Equity in Athletics, by meeting two of three federal requirements and must maintain the gender proportionality plus or minus five percent of the overall gender population of the College. The College met the requirement this year by the narrowest margin and continues to assess options to maintain compliance and will be proposing the addition of a Women’s Volleyball program which would provide more female opportunities toward compliance.

Dr. Eaton explained with regard to employment equity accountability the College is within identified ranges for the employment categories that are measured and how benchmarks have been exceeded in all minority and female faculty categories. She stated open positions have and will continue to be advertised internally to provide promotional opportunities. Dr. Eaton shared Mr. Lonnie Thompson, Director for Equity and Inclusion, will begin May 1st and will take on the responsibility of chairing the Equity Committee and thanked the Board for the support of this new position.

Mr. Tanner arrived at this point.

Mrs. Holness appreciated the details of this comprehensive report and explained another good outreach event was the annual Juneteenth Festival that is held in Cypress Park and encouraged the College’s participation in this worthwhile event. She appreciated the work by staff in preparing the report and felt the outreach initiatives to the students were exceptional.

**MOTION:** (Holness/Hosseini) The District Board of Trustees authorize the College to submit the 2011/2012 Annual Equity Report Update to the Florida Board of Education/Office of Equity and Access, as presented. Motion carried unanimously
VII. TIME RESERVED/COLLEGE COUNSEL

A. Approval of Settlement Agreement, – KinderCare Learning Centers, Inc. v Daytona State College Case No.: 2009-35049-CICI

Mr. Brian Babb, Executive Vice President/General Counsel, explained each of the cases have been fully vetted in recent mediations and the resolutions will allow the College to conclude past events and move forward in the transition period. He thanked the Board for their time in meeting individually about these cases and thanked outside legal counsel for their work. He shared it was the College’s position and recommendation of outside counsel to approve the resolutions which would serve the best interest of the College. Mr. Babb explained the College will aggressively move to prevent and litigate future cases.

Mr. Babb reviewed the settlement agreement with Kindercare and stated the College will pay the $325,000 and the insurance will cover attorney fees and legal representation.

MOTION:  (Freckleton/Recascino) The District Board of Trustees approve the recommendation by counsel to settle the matter as set forth below in the excerpt from the April 26, 2012 agenda item. Motion carried unanimously.

“…Plaintiff has agreed to settle the lawsuit and convey its ten (10) year lease hold interest in the property to the College for three hundred and twenty five thousand dollars ($325,000.00).”

B. Approval of Settlement Agreement – Kathleen Flanagan v Daytona State College Case No.: 6:10-cv-1483-Orl-35GJK

Mr. Babb reviewed the terms of the settlement agreement and costs will be paid for by the insurance company.

MOTION:  (Holness/Haas) The District Board of Trustees approve the recommendation by counsel to settle the matter as set forth below in the excerpt from the April 26, 2012 agenda item. Motion carried unanimously.

“…Plaintiff has agreed to settle the lawsuit for three hundred six thousand and five hundred dollars ($306,500.00).”

C. Approval of Settlement Agreement – Laura Koschuk et al. v Daytona State College, Case No.: 6:11-cv-01325-GAP-GJK

Mr. Babb reviewed the terms of the settlement agreement and costs will be paid for by legal defense and the insurance company.

Dr. Eaton read the following statement into the meeting record: “Daytona State College disagrees with the allegations made in the lawsuit regarding
services for deaf and hard-of-hearing students. The College finds no merit whatsoever in the claims. To the point, Daytona State has served thousands of disabled students over the years with no lawsuits. The College is committed to serving all students with disabilities, providing a full-service dedicated staff and multiple tools, technologies and programs on each of its campuses. Last year alone, the College served students with disabilities in more than 4,600 contacts, including 19 deaf or hard-of-hearing students. Services provided by the College’s Student Disability Services office, include sign language interpreters, note-takers, alternative course substitutions, tutoring, academic and career advising, and personal counseling at no cost to enrolled students who are registered with the Student Disability Services (SDS) office. This SDS office also undertakes community outreach, including collaboration with agencies such as the Division of Blind Services, the ARC of Volusia and Vocational Rehab; holding an annual Disability Mentoring Day, Disability Transition Fair and Disability Awareness Day, and offering related training for College staff and community members. In addition, the College collaborates with local school districts and community agencies to encourage and promote the transition and enrollment of disabled students to the College.”

**MOTION:** (Haas/Freckleton) The District Board of Trustees approve the recommendation by counsel to settle the matter as set forth below in the excerpt from the April 26, 2012 agenda item. Motion carried unanimously.

“…the three (3) Plaintiffs and Defendant have a tentative proposal to settle the matter for an amount not to exceed forty thousand ($40,000.00) plus attorney fees.”

**VIII. ACADEMICS**

**A. Approval of New Courses**

Dr. Michael Vitale, Senior Vice President of Academic Affairs, presented for approval.

**MOTION:** (Hosseini/Davis) The District Board of Trustees approve the following new courses, as presented. Motion carried unanimously.

- AMH 2057 The American Civil War
- AMH 2058 World War II
- DES 1054 Pain Control and Anesthesia
- OST 2828 Business Presentation Software
- OST 2852 Excel for the Office
- STS 0008 Pharmacology for Surgical Technology
B. Approval of New Program: College Credit Certificate in Sales – Entrepreneurship
Dr. Vitale explained this program was developed to help students understand more about sales, marketing, and advertising. He shared advisory boards have asked that students be more well versed in these types of skills. These courses articulate into the AS degree in Business Administration and BAS degree in Supervision and Management.

**MOTION:** (Hosseini/Davis) The District Board of Trustees approve the college credit certificate in Sales – Entrepreneurship program, as presented. Motion carried unanimously.

C. Approval of Major Program/Course Revisions: Associate of Science Degree in Photographic Technology
Dr. Vitale explained this program articulates into the University of Central Florida program on the Daytona campus and these revisions are done jointly with faculty from both institutions following the advice of the advisory board.

**MOTION:** (Hosseini/Davis) The District Board of Trustees approve the major program/course revisions to the Associate of Science Degree in Photographic Technology, as presented. Motion carried unanimously.

D. Approval of Women’s Volleyball Team Proposal
Dr. Vitale explained the College was just able to meet the Title IX gender proportionality requirement this year by carefully managing the roster sizes of the men’s athletic programs. He explained by adding a women’s volleyball team this would allow the College to more easily meet the gender equity requirement. The budget presented was for the first year startup costs of $91,500, which includes $63,000 for a head coach (with benefits), $16,000 for equipment, $7,500 to renovate a current storage site into a locker room, and $5,000 for recruiting visits. He explained how volleyball was selected over other women’s athletic programs and reviewed scholarships and housing for each of the sports. The program will be cost neutral in terms of housing and scholarship money.

* Distributed scholarship/roster spreadsheet for men and women sports.
* Made an official part of the minutes as Supplemental B: 4/26/12.

Dr. Eaton thanked Dr. Vitale and the athletic department for the hard work they did in keeping the expenses cost neutral and how the number of scholarships did not increase keeping the funding level the same but still providing opportunities for students.
MOTION:  (Hosseini/Haas) The District Board of Trustees approve the implementation of a Women’s volleyball team and begin the process for hiring a head coach. Motion carried unanimously.

E. Approval of Unpaid Leave of Absence - Pollitt
Dr. Vitale reviewed and presented for approval.

MOTION:  (Hosseini/Recascino) The District Board of Trustees approve Mark Pollitt’s request for unpaid leave of absence for the fall 2012 semester. Motion carried unanimously.

IX. FINANCE / FACILITIES
A. Finance
1. Financial Summary for March 2012
Mr. Dennis Micare, Senior Vice President of Finance and Administration, reviewed the executive summary which included revenues and expenses; schedule of accounts-cash basis for Funds 1-7; general operating fund one; operating summary that included salary and fringe benefits, current expenses and capital outlay. He reviewed monthly student fee revenues; reserve funds in funds 1, 3 and 7; equipment replacement and maintenance, and construction projects that are underway.

2. Wire Transfers/Checks Issued Greater Than/Equal to $50,000
Mr. Micare presented as information.

3. Approval of Auxiliary Fund Transfer Request
Mr. Micare explained because of federal changes to the Pell Grant the College is requesting $25,000 to assist need based students for the summer term.

Mrs. Haas was in favor of assisting students because no one knew these changes were going to happen and was concerned about what could happen in the future with this and other grant program. She suggested a workshop on financial aid so the Board can discuss its role when grant funding declines even further.

Dr. LoBasso explained the funding the College would provide to these students would only cover tuition and would not fund what a typical Pell grant award would cover. Mrs. Hosseini asked if Foundation funds could cover these costs. Dr. LoBasso explained Foundation scholarships are mostly merit based and have donor restrictions on how they can be used. Dr. LoBasso explained the funds being moved are those the College receives from its third party vendors (bookstore, food services).
Mr. Davis asked to include the Foundation’s scholarships in the workshop on financial aid and how the Foundation determines need-based and merit-based. Dr. Eaton explained merit-based is usually described by the donor. Mrs. Haas wanted to ensure students who are recipients of this financial assistance are aware that this may not be available next summer so they can plan accordingly. Mr. Lewis agreed that a workshop to review financial aid and scholarships would be helpful to the Board.

MOTION: (Davis/Recascino) The District Board of Trustees approve the transfer of Auxiliary Funds in the amount of $25,000 to Fund 5 financial aid need-based cost center to assist students demonstrating a financial need for the FY 2012 summer semester. Motion carried unanimously.

B. Facilities
1. Approval of Final Completion and Final Payment, Hosseini Center Building 1200 – Hospitality Remodel
Mr. Micare explained the remodel was for the second floor classroom space in the Hosseini Center.

MOTION: (Haas/Holness) The District Board of Trustees approve the final completion of the Hosseini Center Building 1200 – Hospitality Remodel project and final payment of $31,977 be made to Ovation Construction, Inc. Motion carried unanimously.

X. MONTHLY STATUS REPORT
A. Foundation Update
Distributed “Our Best Investment.” brochure. Made an official part of the minutes as Supplemental C: 4/26/12.

Mrs. Donna Sue Sanders, Foundation Executive Director, explained the Foundation has begun its annual campaign and have incorporated the credit hour club into this campaign and the brochure will help persons understand where their donations will go. She shared the brochure will be mailed to 8,000 businesses in the Volusia and Flagler County area. They are doing another mailing of 22,000 letters from the Foundation Board letting people know why Daytona State College is the best investment and reminding people of the impact the College has on the community. She indicated the goal for the annual campaign was to raise $250,000 in unrestricted funds. The Foundation is also developing a short video that will be e-mailed to members of the community letting them know how the College is the best investment and has asked Bright House to run in-kind commercials advertising the campaign.
Mrs. Hosseini thanked Mrs. Sanders for her hard work and the fundraising ideas she offered her daughters to raise money for their Foundation scholarships. Mr. Tanner thought the brochure was great public relations piece and suggested including information on how much students save on housing costs when they attend college locally. Mrs. Sanders thought this could be incorporated in another mailing being done to the alumni in the fall.

Mrs. Haas shared the members of the Foundation Board of Directors have been working very hard and are expected to give of their time and money. She shared how delighted she was to have been appointed to that board. Mr. Lewis thanked Mrs. Haas for serving on that board and how she does a fabulous job representing the District Board of Trustees.

XI. TIME RESERVED/BOARD CHAIR

A. Board Chair’s Update

Mr. Lewis explained how he, along with Dr. Nancy Morgan, Mrs. Haas and Mrs. Holness attended the trustee workshop hosted by St. Johns River State College and facilitated by Dr. Belle Wheelan, President of the Southern Association of Colleges and Schools (SACS). He shared it was a very informative workshop and understands more clearly how reaccreditation is a long and arduous process. He asked St. Johns to send a copy of the conference DVD to share with others who could not attend.

He spoke of a recent conference call with Mr. Mike Curb and how discussions are ongoing and will bring information forward once ready.

B. Approval of Association of Community College Trustees (ACCT) Membership Renewal 2012-2013

Mr. Lewis presented for approval

MOTION: (Davis/Recascino) The District Board of Trustees approve the annual membership renewal to the Association of Community College Trustees (ACCT) for the period of July 1, 2012 through June 20, 2013. Motion carried unanimously.

C. Board Professional Development Opportunities

Mr. Lewis presented the professional development opportunities for the Board.

Dr. Eaton introduced Ms. Laurie White who has joined the College as the Director of Marketing and Communications.

XII. TIME RESERVED/CONSTITUENT HEADS

Reports were presented by Ms. Cass Fowler, Administrators Council President; Ms. Sylvia Zuelch for Ms. Lori Lemoine, Career Employees Association
XIII. **TIME RESERVED BOARD MEMBERS**

Dr. Recascino commented on the wonderful ribbon cutting for the DSC/UCF Writing Center and how impressive it is and congratulated everyone involved in the development of the center.

Mr. Davis thought it would be great for Daytona State College to have its own license plate and this may be something to look into pursuing. He stated what a wonderful job Mrs. Sharon Crow does in Tallahassee and how stressful of a job it is.

Mr. Freckleton shared the ribbon cutting ceremony was wonderful and is hopeful there will be many more of these collaborative efforts with UCF and other institutions in this area.

Mrs. Haas shared it was a wonderful meeting with great discussion and looks forward to coming to these meetings. She was sad to be losing Mr. Micare but wished him well on his retirement and thanked him for all he has done.

Mrs. Holness concurred with Mrs. Haas about Mr. Micare and appreciated how he takes the time to explain and is very patient when the Board does not understand. She stated the Career Pathways Youth Transition grant in the consent agenda is a wonderful program that will bring students to the adult education program to finish their education. She was very impressed with the Writing Center and felt it was a wonderful addition to the campus. She stated the collaboration with UCF was wonderful and looks forward to more partnerships.

Mrs. Hosseini reiterated the resolution of appreciation for Mrs. Brosemer and explained how she saw her recently, and Mrs. Brosemer asked her to let everyone know how much she will miss serving on the Board. Mrs. Hosseini thanked Mr. Micare and Mrs. Crow for their hard work.

Mr. Tanner thanked Mr. Micare for being a steady rock during rough waters and appreciated not only his competence and expertise but his steady integrity and knows the Board will miss him.

Mr. Lewis shared the Writing Center was a fantastic accomplishment and a collaboration between a great university and a great college. He commented on the different strengths of each Board member and how they make a good Board. He welcomed Ms. White to the College and looked forward to working with her.

XIV. **ADJOURN**

Mr. Lewis adjourned the meeting at 3:52 p.m.

*Date of next regular meeting: May 24, 2012.*